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Attorneys for Movant
RICHARD FRENKEL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ILLINOIS COMPUTER RESEARCH, LLC,
Plaintiff and Counterclaim Defendant,

vs.

FISH & RICHARDSON P.C.,
Defendant, Counterclaimant and Third
Party Plaintiff,

vs.

SCOTT C. HARRIS,
Third-Party Defendant and
Counterclaimant

vs.

FISH & RICHARDSON P.C.,
Defendant, Counterclaimant, Third
Party Plaintiff and Counterclaim
Defendant

Miscellaneous Action No.
CV 5:08-mc-80075-JF (HRL)

**DECLARATION OF HOWARD
HOLDERNESS IN SUPPORT OF
RICHARD FRENKEL'S AND CISCO
SYSTEMS, INC.'S NOTICES OF
WITHDRAWAL OF ALL PENDING
MOTIONS**


1 I, HOWARD HOLDERNESS, declare and state as follows:

2 1. I am a partner with the law firm of Morgan, Lewis, and Bockius L.L.P. I am
3 counsel for Richard Frenkel and Cisco Systems, Inc. in the above-referenced matter.

4 2. Attached as "Exhibit A" is a true and correct copy of the letter dated May 5, 2008
5 from Paul K. Vickery to Howard Holderness, Charles L. Babcock, and George L. McWilliams
6 notifying counsel that Illinois Computer Research LLC and Scott C. Harris have withdrawn the
7 subpoena they issued to Richard Frenkel.

8 3. I declare under penalty of perjury that the foregoing is true and correct.

9 Executed on May 7, 2008.

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12 HOWARD HOLDERNESS
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EXHIBIT A

NIRO, SCAVONE, HALLER & NIRO

RAYMOND P. NIRO
TIMOTHY J. HALLER
WILLIAM L. NIRO
JOSEPH N. HOSTENY, III
ROBERT A. VITALE, JR.
JOHN C. JANKA
PAUL K. VICKREY
DEAN D. NIRO
RAYMOND P. NIRO, JR.
PATRICK F. SOLON
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May 5, 2008

LEE F. GROSSMAN
PAUL C. GIBBONS
BRADY J. FULTON
GREGORY P. CASIMER
DOUGLAS M. HALL
DINA M. HAYES
FREDERICK C. LANEY
DAVID J. MAHALEK
KARA L. SZPONDOWSKI
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Via Electronic Mail

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Dear Counsel:

In light of Mr. Frenkel's April 19, 2008 Declaration in which he swore under oath that he had no communications with anybody at Fish & Richardson concerning the underlying litigation and the related parties, ICR and Scott Harris are withdrawing their subpoena. Kindly advise the Court that you are withdrawing your Motion to Quash and thus obviating the necessity of the May 13 hearing.

Very truly yours,


Paul K. Vickrey

PKV/kan

cc: David Bradford
Mark V. Isola